

# HOMEOWNERS ASSISTANCE FUNDS PROGRAM POLICY

## Purpose of Funds

The Osage Nation's Homeowner Assistance Fund (HAF) is established under section 3206 of the American Rescue Plan Act of 2021 (ARPA). The HAF program is established to mitigate financial hardships associated with the coronavirus pandemic by providing funds to eligible Osage homeowner's for the purpose of preventing homeowner mortgage delinquencies, defaults, foreclosures, loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship after January 21, 2020, through qualified expenses related to mortgages and housing. The HAF Assistance Program is a onetime award to the Osage Nation via the United States Treasury. The program is administered as a first-come first-served method until funds are exhausted.

## Types of Assistance

The Osage Nation offers the following types of assistance to eligible Osage homeowners, for the purpose of preventing homeowner mortgage delinquencies, homeowner mortgage defaults, homeowner mortgage foreclosures, homeowner loss of utilities or home energy services, and displacements of homeowners experiencing financial hardship:

1. Mortgage payment assistance;
2. Financial assistance to allow a homeowner to reinstate a mortgage or to pay other housing-related costs related to a period of forbearance, delinquency, or default;
3. Payment assistance for:
  - a. homeowner's utilities, including electric, gas, home energy (including firewood and home heating oil), water, and wastewater;
  - b. homeowner's insurance, flood insurance, and mortgage insurance;
4. Payment assistance for delinquent property taxes to prevent homeowner tax foreclosures;
5. Measures to prevent homeowner displacement, such as home repairs to maintain the habitability of a home, including the reasonable addition of habitable space to alleviate overcrowding

## Eligibility Requirements

Homeowners are eligible to receive assistance if they experienced a financial hardship after January 21, 2020 (including a hardship that began before January 21, 2020, but continued after that date) and have incomes equal to or less than 100% of the median income for the United States or 150% of area median income, whichever is greater. The Osage Nation may provide HAF funds only to a homeowner with respect to qualified expenses related to the dwelling that is such homeowner's primary residence. Homeowners are required to attest that they experienced financial hardship after January 21, 2020. The attestation must describe the nature of the financial hardship, such as, job loss, reduction in income, or increased costs due to healthcare or the need to care for a family member etc.

Eligible households for HAF assistance with the Osage Nation must:

- Be 18 years or older
- Be a homeowner and reside in the home as a primary residence. Osage Member must be on mortgage or Deed
- Be a legal member of the Osage Nation at the time of application and assistance
- Attest to a negative COVID impact, by loss / reduction of income or increased expenditures
- Submit a completed application and supporting documents
- Be eligible by income limits

## Income Determinations

The Osage Nation has determined that annual income may be based upon the definition of income that is most advantageous to the homeowner in terms of eligibility. With respect to each household applying for assistance, the Osage Nation will use either the definition of “annual income” in 24 CFR 5.609 or use adjusted gross income as defined for purposes of reporting on Internal Revenue Service (IRS) Form 1040 series for individual federal annual income tax purposes, whichever is most advantageous to the homeowner. Anticipated annual income based upon their current income status is generally used to determine an applicant’s eligibility but the household’s prior year’s annual income may be used in certain cases such as the IRS definition. Osage Nation staff shall have the discretion to determine the appropriate definition of annual income to be utilized for each household.

Homeowners with an annual income at or below 100% of the US Median Income or homeowners who are Socially Disadvantaged and with an annual income at or below 150% of the Area Median Income, whichever is greater, as established by HUD. Income limits can be found here: <https://www.huduser.gov/portal/datasets/haf-il.html> Income limits are adjusted for family size and updated annually.

Income verification for the past thirty (30) days is required from each adult household member to calculate and project an annual income. To include all forms of income, but not limited to the following sources of income:

- Earned Income
- Self-Employment Income
- Contract Income
- Unemployment benefits
- Social Security Administration (SSA) benefits; excluding Medicare deductions
- Supplemental Security Income
- Retirement/pension benefits
- Rental Income
- Alimony
- Child Support

Or the applicant can list the Adjust Gross Income from the most recent Federal Tax Return and submit a copy of the 1040 form. Osage Nation staff shall have the discretion to determine the appropriate definition of annual income to be utilized for each household.

## Application & Determination

When a completed application has been received, the department team has up to 10 business days to determine eligibility and allowable expenses. Eligibility is determined from information provided within the program application and supporting documentation. The applicant is notified at the time of application, of their right to an appeal, in the event the application is denied.

The amount of assistance will vary per applicant, HAF component and based on available funds. Completed applications contain the following supporting documentation:

- Complete and signed program application
- Legible copies of the Photo Identification of all adults in the household
- Legible copies of Social Security Cards of all household members
- Verification of monthly income for all adults in the household
- Verification of homeownership (Copy of recorded Deed, Contract for Deed, Title to Mobile Home, Lease to Purchase Agreement, BIA Permit, or letter from the BIA
- Invoices /estimates applicable to the homeowner’s request for assistance, such as Mortgage statement, Electric, Water, Gas bills, Insurance policy/invoice, Property tax statement, etc...
- W9 forms for each vendor whom is to be paid

If the applicant is determined eligible for assistance:

- A voucher will be emailed or faxed directly to the vendor. The voucher will include the: name, address, account number, and approved amount of assistance.
- A letter is mailed or emailed to the applicant, notifying them of the determination and amount of assistance
- A payable is processed to the accounting department
- A check is mailed directly to the vendor

If the applicant is determined ineligible for assistance:

- A letter is mailed or emailed to the applicant, stating the reasons of denial and the appeal process.
- If the applicant appeals the determination, in written form, within 10 business days of the letter, to the Financial Assistance office, the appeal will be forwarded to the Secretary or his /her designee for review.
- A review of the appeal and application file will be scheduled and the applicant will be notified of the date and time, in written or electronic communication.
- The Secretary or his / her designee will review the appeal and make a determination of eligibility, then respond in written or electronic communication to the applicant.

### **Benefit Levels**

The total amount of assistance will vary per application and HAF component; however the maximum total amount of assistance is \$15,000, per Osage homeowner. The amounts of assistance, by component, are outlined in the HAF program Design Elements accepted by the US Treasury Department. Each HAF component has restrictions and maximum limits. An applicant may receive more than one type of assistance; however the cumulative total is a \$15,000 limit.

### **Office of Administration**

The program is administered within the Osage Nation Financial Assistance Department, physically located at 239 W. 12<sup>th</sup> Street Pawhuska, OK 74056. There are no sub grantees.

Osage Nation Financial Assistance Department  
HAF Program  
627 Grandview Ave.  
Pawhuska, OK 74056

Phone: (918) 287-0032  
Email: [haf@osagenation-nsn.gov](mailto:haf@osagenation-nsn.gov)

Web: <https://www.osagenation-nsn.gov/services/financial-assistance>

### **Coordination**

The program staff will work with administrators of other similar programs so that other program officials are aware of program and can make referrals. Coordination can prevent an overlap in services between agencies and their programs and ensures that eligible households know about and receive the maximum services and benefits available under all applicable programs. Staff will work closely with Indian Housing Programs, Osage Nation Crisis Program and Employment & Training Programs to ensure the eligible household is receiving the available assistance, but not duplicating services. This coordination will be conducted at the intake procedure and during the referral process.

### **Outreach Activities and Program Resources**

Outreach activities will include, but not be limited to the following:

- Informational material mailed to current Crisis Program applicants
- Program fliers published in a local newspaper

Policy Effective Date: 05/01/2023

- Information material shared to our website and social media
- Information material posted in local & other tribal buildings
- Information material will be shared at tribal events

## Admin Cost & Fiscal Controls

The Osage Nation received a onetime award of \$982,781. The maximum amount of allowable Administrative expenses will be calculated at: 15% of \$982,781.

The program will operate in accordance to policies and procedures of the Osage Nation Accounting Department, and the Single Audit Act. The program will be subject to internal monitoring, as scheduled by the Osage Nation Grants Compliance Office and audit per A-133.

## Confidential Records and Reporting

Applicants are informed, at the time of application, of their Rights and Responsibilities, All program staff are required to sign confidentiality agreements. The Osage Nation Financial Assistance Department will utilize a web based software, Customer Relations Management (CRM) to verify membership and record applicant and program demographics in an Excel spreadsheet. In accordance with accounting policies, all expenditures will be processed and tracked in Microix and Abilia software. All hard copy files are stored in locked cabinets, in the Financial Assistance file room, until sent to the Archives department, for retention and disposal.

Quarter performance and financial reports to include the annual report will be submitted within the US Treasury portal with assistance from the Office of Grants Management, in accordance with required deadlines.

## Definitions

**Dwelling-** means any building, structure, or portion thereof that is occupied as, or designed or intended for occupancy as, a residence by one or more individuals.

**Financial hardship-** means a material reduction in income or material increase in living expenses associated with the coronavirus pandemic that has created or increased a risk of mortgage delinquency, mortgage default, and foreclosure, loss of utilities or home energy services, or displacement for a homeowner

**Mortgage-** means any credit transaction (1) that is secured by a mortgage, deed of trust, or other consensual security interest on a principal residence of a borrower that is (a) a one- to four-unit dwelling, or (b) a residential real property that includes a one- to four-unit dwelling; and (2) the unpaid principal balance of which was, at the time of origination, not more than the conforming loan limit. For purposes of this definition, the conforming loan limit means the applicable limitation governing the maximum original principal obligation of a mortgage secured by a single-family residence, a mortgage secured by a two-family residence, a mortgage secured by a three-family residence, or a mortgage secured by a four-family residence, as determined and adjusted annually under section 302(b)(2) of the Federal National Mortgage Association Charter Act (12 U.S.C. 1717(b)(2)) and section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)). A reverse mortgage, a loan secured by a manufactured home, or a contract for deed (also known as a land contract) may fall within this definition if it satisfies the criteria in this paragraph, in accordance with applicable state law.

**Socially Disadvantaged-** individuals are those whose ability to purchase or own a home has been impaired due to diminished access to credit on reasonable terms as compared to others in comparable economic circumstances, based on disparities in homeownership rates in the HAF participant's jurisdiction as documented by the U.S. Census. The impairment must stem from circumstances beyond their control. Indicators of impairment under this definition may include being a (1) member of a group that has been subjected to racial or ethnic prejudice or cultural bias within American society, (2) resident of a majority-minority Census tract; (3) individual with limited English proficiency; (4)

Policy Effective Date: 05/01/2023

resident of a U.S. territory, Indian reservation, or Hawaiian Home Land, or (5) individual who lives in a persistent-poverty county, meaning any county that has had 3 20% or more of its population living in poverty over the past 30 years as measured by the three most recent decennial censuses. In addition, an individual may be determined to be a socially disadvantaged individual in accordance with a process developed by a HAF participant for determining whether a homeowner is a socially disadvantaged individual in accordance with applicable law, which may reasonably rely on self-attestations.

**State-** means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the United States Virgin Islands, and the Commonwealth of the Northern Mariana Islands.